

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MATTHEW R. TONKIN and LAURIE  
MCLELLAND, husband and wife,

Plaintiffs,

v.

CTX MORTGAGE COMPANY, et al.,

Defendants.

3:11-cv-270-RCJ-VPC

**ORDER**

On September 27, 2011, the Court heard oral argument on MERS and Citimortgage, Inc.'s Motion to Dismiss or in the Alternative Motion for Summary Judgment (#7), joined by Cal-Western Reconveyance Corporation and First American Title Co. (#13). At oral argument, the parties stipulated to dismiss Cal-Western and Citimortgage, with prejudice, from the case. As discussed at oral argument, the Court now denies the motion to dismiss (#7) and joinder (#13) as moot.

**CONCLUSION**

For the foregoing reasons, IT IS ORDERED that Cal-Western and Citimortgage are dismissed from the case with prejudice.

IT IS FURTHER ORDERED that the Motion to Dismiss (#7) and Joinder (#13) are DENIED as moot.

DATED: This 27<sup>th</sup> day of October, 2011.

  
United States District Judge